

PATENT  
Customer No. 22,852  
Attorney Docket No. 10525.0014-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Yuji MATSUZAWA et al. ) Group Art Unit: 1656  
Application No.: 10/520,783 ) Examiner: Samuel W. LIU  
Filed: August 9, 2005 )  
For: NOVEL PROTEINS AND USE ) Confirmation No. 9334  
THEREOF )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Siri

## **RESPONSE TO RESTRICTION REQUIREMENT**

Applicants are in receipt of the Restriction Requirement mailed June 20, 2007.

The Examiner required restriction to one of the following groups of claims under 35 U.S.C. §§ 121 and 372:

Group 1, claims 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45 and 49, allegedly drawn to an isolated polypeptide, a pharmaceutical composition comprising the polypeptide, and a kit comprising the polypeptide.

Group 2, claims 2-3, 6-7, 10-11, 14-15, 18-19, 22-23, 26-27, 30-31, 34-35, 38-39, 42-43, 46-47, 50-51, 53 and 59, allegedly drawn to an isolated polynucleotide, a pharmaceutical composition comprising the polynucleotide, a diagnostic agent comprising the polynucleotide, and a kit comprising the polynucleotide.

Group 3, claims 4, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 48, 52 and 63, allegedly drawn to an isolated antibody, a pharmaceutical composition comprising the antibody, a diagnostic agent comprising the antibody, and a kit comprising the antibody.

Group 4, claims 54 and 56-57, allegedly drawn to a method of screening for a compound having a specific affinity for the protein comprising use of the protein.

Group 5, claims 58 and 60-61, allegedly drawn to a method of screening for a compound changing the expression of the polynucleotide screening for said protein using the polynucleotide.

Group 6, claims 62 and 64-65, drawn to a method of screening for a compound changing the amount of the protein on a cell membrane or in an extracellular fluid comprising screening for the protein using the isolated antibody which binds to said protein.

Applicants elect Group 1, without traverse.

The Examiner additionally required that if Group 1 or Group 4 was elected,

Applicants are required to elect "one amino sequence with sequence identifier from claims 1, 5, 9, 13, 17, 21, 25, 29, 33, 37, 41, 45 and 49 . . ." In response, Applicants elect SEQ ID NO:2, without traverse. At least pending claims 1, 45, 49, and 55 encompass the elected invention.

Applicants reserve the right to request rejoinder of process claims when the product claims are found allowable.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 20, 2007

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